

## **DECLARATION OF SOLE INVENTOR FOR PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor of the claimed subject matter for which a patent is sought on the invention entitled "Split-tip Screwdriver With Protective Sleeve" described in the specification.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

### **PRIOR FOREIGN APPLICATIONS:**

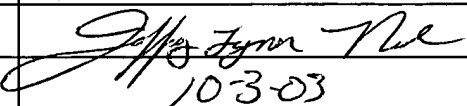
I hereby state that no applications for foreign patents or inventors certificates have been filed prior to the date of execution of this declaration.

### **POWER OF ATTORNEY**

As the named inventor, I hereby appoint L. Grant Foster, Reg. No. 33,236, Trent H. Baker, Reg. No. 46,534, James R. Farmer, Reg. No. 47,555, D. Delos Larson, Reg. No. 46,118, Francis A. Sirr, Reg. No. 17,265, Earl C. Hancock, Reg. No. 19,472, Brian P. Kinnear, Reg. No. 43,717, and Christopher J. Kulish, Reg. No. 33,056, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Send all correspondence to: L. Grant Foster, HOLLAND & HART LLP, P.O. Box 8749, Denver, Colorado 80201, and direct telephone calls to L. Grant Foster, telephone number (801) 595-7830.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued therefrom.

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|--|--|
| Inventor's Full Name:                      | Jeffery Lynn Nish  |
| Inventor's Signature:                      |  |
| Date:                                      | 10-3-03  |
| Residence:<br>(City, State and/or Country) | 1929 North 400 West<br>Centerville, Utah 84014                                     |
| Citizenship:                               | USA  |
| Post Address Office:                       | Same as Residence.   |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. PATENT APPLICATION SERIAL NO. ....Unknown  
FILING DATE ..... Filed Herewith  
INVENTOR ..... Jeffery Lynn Nish  
ASSIGNEE ..... J&M Innovative Products, LLC  
GROUP ART UNIT .....Unknown  
EXAMINER .....Unknown  
ATTORNEY'S DOCKET NO. .... 46206.0008  
TITLE ..... "Split-tip Screwdriver With Protective Sleeve"

**STATEMENT CONCERNING SMALL ENTITY**

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: L. Grant Foster  
HOLLAND & HART LLP  
555 - 17<sup>th</sup> Street, Suite 3200  
P.O. Box 8749  
Denver, Colorado 80201  
Telephone: (801) 595-7830  
Facsimile: (801) 364-9124

This confirms that Applicant qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time, or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

Respectfully submitted,

Date: \_\_\_\_\_

30 OCTOBER 2003



L. Grant Foster  
Registration No. 33,236

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TITLE ..... "Split-tip Screwdriver With Protective Sleeve"

**SUBMISSION UNDER 37 CFR § 3.73(b)**

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Sir:

J&M Innovative Products, LLC, a limited liability company, is the owner of the patent application identified above by virtue of a chain of title from the inventor to the current assignee as shown below:

From: Jeffery Lynn Nish                      To: J&M Innovative Products, LLC  
By assignment (a copy of the assignment is attached)

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of J&M Innovative Products, LLC.

Date: 10-21-03

  
Jeffery Lynn Nish  
Managing Member  
J&M Innovative Products, LLC